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October 2, 2016

Hon. Joseph F. Bianco
US District Court Judge
US District Court
920 Federal Plaza
Central Islip, NY 11722

Re: *U.S. v. Kenner* 13-607 (JFB)

Dear Judge Bianco:

During the court appearance on September 15, 2016, I indicated I anticipated submitting two submissions, on behalf of Mr. Kenner, on October 7, 2016. One submission was a supplement to the objections, to the PSR, previously submitted by Mr. Haley. The second submission, was a "Roadmap" letter (or memorandum) clarifying the *pro se* submission which Mr. Kenner has submitted along with others which he has prepared and seeks to submit.

Regarding the first submission, I intend to submit it by October 7th.

Regarding Mr. Kenner's *pro se* submissions, in their present form they contain hundreds (possibly over a thousand) pages of documents. As I indicated during the September 15th appearance, pursuant to my review, it appears these submissions fall within the purview of a Rule 33 motion. However, in their present format they are voluminous and difficult to review. I have discussed these submissions with Mr. Kenner and offered suggestions how they may be pared down while still presenting issues he seeks to raise. He indicated he will endeavor to edit and reduce the size of his submissions. However, at this point, I do not anticipate having a reduced set of submissions, coupled with a Roadmap, by October 7th. I have discussed the foregoing with the Government and indicated I anticipate submitting these items by November 7, 2016. The Government does not object to this proposal. Accordingly, I respectfully request the briefing schedule be modified to indicate the Roadmap and related *pro se* submissions are to be submitted on November 7, 2016

Respectfully submitted,

/s/

Jeffrey G. Pittell

cc: Diane Leonardo, AUSA
Phillip Kenner
All counsel of record via ECF